



## ADULT COMMUNITY CORRECTIONS DIVISION STANDARD OPERATING PROCEDURES

Procedure No.: ACCD 5.1.101	Subject: <b>INMATE WORKERS</b>
Reference: <a href="#">53-1-203, MCA</a> ; ACCD Facility Contracts	Page 1 of 4
Effective Date: 09/26/11	Revision Dates:
Signature / Title: /s/ Pam Bunke, ACCD Administrator	

### I. DIVISION DIRECTIVE:

The programs and facilities of the Adult Community Corrections Division will use consistent procedures in the placement and supervision of inmate workers.

### II. DEFINITIONS:

Adult Community Corrections Division (ACCD) Contracted Facility – Includes Prerelease Centers (PRC), Sanction Treatment Assessment Revocation & Transition (START), Warm Springs Addiction Treatment & Change Program (WATCH), Connections Corrections Program (CCP), Passages Alcohol and Drug Treatment (Passages ADT), Passages Assessment, Sanction & Revocation Center (Passages ASRC), NEXUS Correctional Treatment Center (NEXUS), and Elkhorn Treatment Center (Elkhorn).

Chaperone – Person authorized by the facility's approval process to accompany an offender on pass time; has shown himself/herself to be a responsible party and not under any correctional supervision. Chaperone will be the same sex as the offender, unless he/she is a spouse, parent, adult child, grandparent or sibling of offender, or has been approved by the Facility Administrator.

Inmate Worker – An inmate, who, upon approval of the ACCD, a screening committee and/or the Board of Pardons and Parole, has received a work assignment at an ACCD facility, resides at the facility and is compensated for the work. As a general rule, inmate workers are from secure facilities, but exceptions may occur and would require ACCD approval.

Prerelease Facility Contract Manager – The Department of Corrections' (Department) employee who acts as the liaison for services and monitors the contractual agreements between the Department and prerelease centers: Alpha House PRC, Gallatin County Re-entry Program, Butte PRC, Great Falls Transition Center, Helena PRC, and Missoula PRC.

Treatment Facility Contract Manager – The Department's employee who acts as the liaison for services and monitors the contractual agreement between the Department and ACCD contracted treatment facilities: START, CCP, Passages, Elkhorn, NEXUS, and WATCH.

Urgent and Emergent – Medical, mental health, and dental care for an acute illness or an unexpected health need that cannot be deferred until the next scheduled sick call or clinic.

### III. PROCEDURES:

A facility will require an offender referred to an inmate worker program to complete the program prior to being placed as a resident at the facility or being moved to the next location. Inmate workers are required to follow all rules and regulations of the facility while participating in an inmate worker program.

The facility will have no more than seven (7) percent of total contracted beds to be filled with inmate workers unless approved by Prerelease Facility or Treatment Facility Contract Manager (Contract Manager).

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Inmates interested in a Culinary Arts Program will meet eligibility requirements and follow application procedures as outlined in *P&P 150-1.1 Adult Community Corrections Division Program/Facility Guide*.

#### **A. Offender Eligibility Requirements**

1. To be eligible to participate in an inmate worker program, an offender must:
  - a. be within 18 months of release, either by parole eligibility or discharge;
  - b. have clear conduct (no major violations) for at least six (6) months;
  - c. have no outstanding detainers, warrants, notifications, or pending sentence review;
  - d. have demonstrated a commitment to change through completion of, or enrollment in, recommended or court-ordered treatment, work or skill programs;
  - e. have positive work reports and a proven ability to work independently;
  - f. have incurred no felony convictions while incarcerated;
  - g. have no secure-care escape history within the past 10 years, and have no escape or walk away history from prerelease, work release, or any monitoring programs, within the last three (3) years;
  - h. have no medical restrictions that may conflict with work requirements; all medical needs must be managed/stable, or an accommodation can be made, prior to community placement;
  - i. have no history of trafficking in dangerous contraband while incarcerated;
  - j. acknowledge and accept responsibility for his or her crime(s).
2. A sexual offender must have completed, or be actively participating and progressing in, sexual offender treatment as determined by the treatment provider.
3. Offenders who have transferred from another state must have the controlling state's approval prior to participating in an inmate worker program.
4. Offenders must submit to drug testing upon request. Refusal to submit to a drug test will result in the offender's removal from the program and disciplinary action.

#### **B. Application Procedures/Responsibility**

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|--|--------------------------|
| 1. Offender is referred to inmate worker program by his/her Case Manager or IPPO.  | Case Manager/IPPO        |
| a. If offender has escape history <i>ACCD 4.1.100(D) Approval of Offender Placement with Prior Escapes</i> must be submitted to the ACCD Administrator for approval before screening: <ol style="list-style-type: none"> <li>i. ten (10) years must have passed since apprehension if escape from secure-care;</li> <li>ii. three (3) years must have passed since apprehension if escape from ACCD facility, work release, or any monitoring programs.</li> </ol> |                          |
| 2. Approval by the sending facility's screening committee and the Board of Pardons and Parole must be received.  | Sending Facility<br>BOPP |
| 3. IPPO prepares the following forms: <ol style="list-style-type: none"> <li>a. <i>ACCD 5.1.101(A) Inmate Worker Request Form</i>;</li> <li>b. <i>ACCD 5.1.101(B) Inmate Worker Medical Information</i>; and</li> <li>c. <i>ACCD 5.1.101(C) Work Position Agreement</i>.</li> </ol>  | IPPO                     |
| 4. IPPO provides <i>Medical Information</i> form to offender to complete and sign. When completed, offender returns form to facility's medical staff.  | IPPO/Offender            |

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| 5. Medical staff completes “Additional Information” and “Accommodations” sections, signs and returns form to IPPO. Additional health status criteria may be imposed if deemed necessary.          | Medical Staff<br>(sending facility)   |
| 6. IPPO adds any additional comments and signs <i>Medical Information</i> form. IPPO forwards three forms listed in #3 to receiving facility.   | IPPO                                  |
| 7. Receiving facility’s medical staff may also impose additional health status criteria as deemed necessary to ensure all job assignments are in the best interest of both offender and facility. | Medical Staff<br>(receiving facility) |
| 8. The <i>Agreement</i> describes the work assignment, compensation, length of assignment, and counseling, treatment, and/or recreational services to be provided.                                | Receiving Facility                    |
| 9. Receiving facility submits all forms to Contract Manager for approval at least two (2) weeks prior to work assignment. <i>Agreement</i> must be signed by the offender and other parties       | Receiving Facility                    |
| 10. Transportation of offender to receiving facility is arranged only after approval from Contract Manager has been received.   | Receiving Facility                    |

**C. Length of Stay**

180 days as inmate worker. Anything longer requires written approval of Contract Manager using *ACCD 5.1.102(D) Pre-Authorization Request for PRC LOS Extension Form*.

**D. Medical Needs**

Inmate workers will arrive at the facility with a six (6)-month refill order for current chronic care medications.

The facility/contractor is responsible for daily routine medical supplies, over-the-counter medications and day-to-day healthcare needs. The Department of Corrections (Department or DOC) is responsible for the necessary medical, dental and psychiatric expenses if pre-authorized and pre-approved by the Health Services Bureau (HSB).

For urgent and emergent healthcare needs, the facility must contact the HSB and provide information of inmate’s medical needs. Emergency treatment may be provided without prior authorization; however the HSB will be contacted as soon as possible and provided information on the nature of the illness, the type of treatment to be provided, and the estimated length of treatment. HSB will review each case individually and inmate may be subject to return to MSP or MWP if medical needs dictate.

**E. Monthly Reports**

Each facility will submit a monthly inmate worker report to [coraccdreports@mt.gov](mailto:coraccdreports@mt.gov), and Contract Beds Accountant, by the 10<sup>th</sup> of each month (subject line of email should list facility name; offender’s last name, first name; Inmate Worker Report). The report will contain offender name, DOC ID#, worker position, date of entry, projected date of completion, and actual date of transfer to resident status or removal as an inmate worker in the program, if applicable.

**F. Facility Rules and Discipline**

Inmate worker will be subject to all rules and regulations of placement facility and work position agreement. Worker is subject to the same disciplinary procedures as traditional facility participants.

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#### **G. Travel**

For travel within local community, see Section J.

All travel outside of the local community will be escorted and requires written permission from the Contract Manager, pursuant to *ACCD 5.1.103 Offender Travel*. Travel requests must be submitted to the Contract Manager at [correquests@mt.gov](mailto:correquests@mt.gov) at least 48 hours prior to travel (subject line of email should list facility name; offender last name, first name; Travel Permit). Verbal approval may be given for emergency travel.

#### **H. Transportation**

Receiving facility coordinates transportation to facility once approval for inmate worker placement has been received.

#### **I. Motor Vehicles**

Inmate workers will not operate motor vehicles for any reason.

#### **J. Passes**

Inmate workers will not be allowed any pass time unless supervised or escorted by facility staff or approved chaperone. Passes will be limited to approved medical or dental appointments, shopping for personal items, church services, self-help meetings, a library, staff-approved recreational events, or walks on approved and designated routes.

#### **K. Compensation**

Facility provides room and board exempt from the service charges applicable to traditional program participants. Facility may charge Department the daily per diem rates as outlined in the facility's contract and will pay the inmate worker for his/her work from this per diem, ranging from \$6 to \$12.

### **IV. Closing:**

Questions concerning this procedure should be directed to the Facility Administrator or Contract Manager.

#### **Forms**

ACCD 5.1.101(A)	<a href="#">Inmate Worker Request Form</a>
ACCD 5.1.101(B)	<a href="#">Inmate Worker Medical Information</a>
ACCD 5.1.101(C)	<a href="#">Work Position Agreement</a>
ACCD 4.1.100(D)	<a href="#">Approval of Offender Placement with Prior Escape(s)</a>
ACCD 5.1.102(D)	<a href="#">Pre-Authorization Request for PRC LOS Extension Form</a>
ACCD 5.1.103(A)	<a href="#">Offender Travel Request Form</a>